

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

2006 FEB -6 PM 3:50

BEFORE THE ADMINISTRATOR

FILED
EPA REGION VIII
HEARING CLERK

In the Matter of)
)
AM West Petroleum, Inc.,) Docket No. CWA-08-2005-0019
)
Respondent.)

ORDER DISMISSING COMPLAINT WITH PREJUDICE

Complainant EPA Region Eight, Denver, Colorado, brings a January 20, 2006 Motion to Withdraw Complaint Without Prejudice in its current action against AM West Petroleum, Inc., Upton, Wyoming.

The Presiding Officer in this matter held a conference call between the parties on January 26, 2006, to ensure that both parties understood the significance of dismissing the complaint without prejudice. After conferring with the parties and gaining their concurrence, this tribunal now issues an Order dismissing the complaint with prejudice. Complainant will therefore be barred from bringing future charges against Respondent for the same underlying Clean Water Act violations alleged in the current action. So ordered.



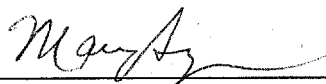
Carl C. Charneski
Administrative Law Judge

Dated: February 1, 2006
Washington, D.C.

In the Matter of *AM West Petroleum, Inc.*, Respondent
Docket No. CWA-08-2005-0019

Certificate of Service

I certify that the foregoing **ORDER DISMISSING COMPLAINT WITH PREJUDICE**, dated February 1, 2006, was sent this day in the following manner to the addressees below.



Mary Angeles
Legal Staff Assistant

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Dated: February 1, 2006
Washington, D.C.